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83D CONGRESS
2D SESSION

S. 3697

IN THE SENATE OF THE UNITED STATES

JULY 1 (legislative day, JUNE 22), 1954

Mr. AIKEN (for himself, Mr. KNOWLAND, Mr. KUCHEL, and Mr. ANDERSON) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend the Act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of April 6, 1937, as amended (7 U. S. C. 148), is further amended by adding at the end thereof the following: "The Secretary of Agriculture is further authorized to cooperate with the Governments of Canada or Mexico or local Canadian or Mexican authorities in carrying out in such countries necessary operations or measures to

control incipient or emergency outbreaks of insect pests or plant diseases, when such operations or measures are necessary to protect the agriculture of the United States. In performing the operations or measures authorized under this Act, the cooperating foreign country, State, or local agency shall be responsible for the authority necessary to carry out the operations or measures on all lands and properties within the foreign country or State other than those owned or controlled by the Federal Government and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary."

83D CONGRESS
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S. 3697

A BILL

To amend the Act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases.

By Mr. AIKEN, Mr. KNOWLAND, Mr. KUCHEL, and Mr. ANDERSON

JULY 1 (legislative day, JUNE 22), 1954

Read twice and referred to the Committee on Agriculture and Forestry

83D CONGRESS
2D SESSION

H. R. 9819

IN THE HOUSE OF REPRESENTATIVES

JULY 7, 1954

Mr. HOPE introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of April 6, 1937, as amended (7 U. S. C. 148), is further amended by adding at the end thereof the following: "The Secretary of Agriculture is further authorized to cooperate with the Governments of Canada or Mexico or local Canadian or Mexican authorities in carrying out in such countries necessary operations or

measures to control incipient or emergency outbreaks of insect pests or plant diseases, when such operations or measures are necessary to protect the agriculture of the United States. In performing the operations or measures authorized under this Act, the cooperating foreign country, State, or local agency shall be responsible for the authority necessary to carry out the operations or measures on all lands and properties within the foreign country or State other than those owned or controlled by the Federal Government and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary."

83D CONGRESS
2D SESSION

H. R. 9819

A BILL

To amend the Act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases.

By Mr. HOPE

JULY 7, 1954
Referred to the Committee on Agriculture

Calendar No. 1769

83D CONGRESS
2d Session

SENATE

REPORT
No. 1756

CONTROL OF INCIPIENT OR EMERGENCY OUTBREAKS OF INSECT PESTS OR PLANT DISEASES

JULY 8 (legislative day, JULY 2), 1954.—Ordered to be printed

Mr. AIKEN, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 3697]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 3697) to amend the act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases, having considered the same, report thereon with a recommendation that it do pass without amendment.

The Secretary of Agriculture now has authority to use a contingency fund of $400,000 for the control of incipient or emergency outbreaks of insect pests or plant diseases in the United States. At present there is a serious threat of an outbreak of the Mexican fruitfly in Mexico which could spread to the United States. S. 3697 would authorize the Secretary, in cooperation with Mexico or Canada, to use this contingency fund in adjoining areas in those countries to control such outbreaks. A copy of a letter from the Department of Agriculture, dated June 28, 1954, and requesting enactment of this legislation, is attached hereto and made a part of this report.

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., June 28, 1954.

The PRESIDENT OF THE SENATE,
United States Senate.

DEAR MR. PRESIDENT: Under the provisions of the act of April 6, 1937, as amended, the Secretary, in cooperation with authorities of the States concerned, organizations, or individuals, is authorized and directed to apply such methods for the control of incipient or emergency outbreaks of insect pests or plant diseases as may be necessary. It is proposed to amend this legislation to permit cooperation with the Governments of Canada or Mexico, or local Canadian or

Mexican authorities, to carry out in such countries necessary operations or measures to control incipient or emergency outbreaks of insect pests or plant diseases, when such operations or measures are necessary to protect the agriculture of the United States.

The proposed amendment to the legislation would provide authority for this Department to take necessary steps to combat an incipient outbreak of the Mexican fruitfly in Mexico. This insect is native to northeastern Mexico but has recently been found in northwestern Mexico in the city of Tiajuana, at the California border, and at Hermosillo, Sonora, south of the Arizona border. It also has spread gradually to central Mexico. It attacks citrus and apples, pears, peaches, and other soft fruits. It is conservatively estimated that the annual retail value of the host fruits grown in California and Arizona is one-half billion dollars. If this pest becomes established in these fruit-producing areas, these States will be deprived of out-of-State markets pending the development of costly quarantine procedures acceptable to other States.

While the outbreak of the Mexican fruitfly is limited at the present time, it constitutes a sufficient threat to the fruit industry in the southwestern United States to warrant emergency measures to eradicate the outbreak and to prevent its introduction. A joint Mexican-United States program is contemplated. Our participation in the program in Mexico is primarily for the protection of the United States—initiating protective measures and suppressive action on the Mexican side of the border where citrus and other host trees are confined largely to home plantings—with Mexican officials cooperating fully in any preventive program.

The agricultural appropriation bill for 1955, as passed by the Senate includes $227,500 for the project "Citrus blackfly and Mexican fruitfly control." Work under this project is carried out in Mexico under the general authority of the Department of Agriculture Organic Act of 1944. Funds under this project are required to cope with existing infestations along the Texas-Mexican border and adjoining areas in Mexico. The logical source of financing any new emergency outbreak which may occur would be from the $400,000 contingency fund which is used for that purpose in the United States. The basic legislation for this emergency fund does not authorize operations in Mexico and in this respect is more restrictive than the general authority of the Department's Organic Act of 1944. It is believed that the current outbreak of the Mexican fruitfly would require $60,000 under this proposed authority in fiscal year 1955.

With respect to Canada, for a number of years appropriation language under the item "Control of emergency outbreaks of insects and plant diseases" contained a provision to carry out control operations in Canada or with local Canadian authorities in connection with an outbreak of pear psylla in Canada in 1940. This proviso was eliminated from the 1955 appropriation language since it was not immediately needed, and further, it was considered to be subject to a point of order. The proposed amendment has been drafted to include Canada to permit prompt action in the event of a new outbreak in that country of any of the rapidly spreading insects or plant diseases that might threaten the agriculture of the United States.

The additional authority under the proposed amendment would be used only to the extent of carrying out in such countries necessary operations or measures to control incipient or emergency outbreaks of insect pests or plant diseases where immediate action is deemed necessary to eradicate, suppress, control, and prevent or retard the spread of such outbreaks into the United States. When it is determined that the threat of such insect or plant disease no longer warrants emergency measures and the program becomes stabilized, funds as may be required for carrying out maintenance or control measures will be requested under the regular control items rather than being financed from the contingency fund. There is attached draft of a bill to this end. It would be appreciated if this proposed legislation could be placed in the proper channels for the consideration of Congress.

The Bureau of the Budget advises that there is no objection to the transmission of this proposed legislation to Congress for its consideration.

Sincerely yours,

E. T. Benson, *Secretary.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

ACT OF APRIL 6, 1937, AS AMENDED

SECTION 1. The Secretary of Agriculture, in cooperation with authorities of the States concerned, organizations, or individuals, is authorized and directed to apply such methods for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs as may be necessary. *The Secretary of Agriculture is further authorized to cooperate with the Governments of Canada or Mexico or local Canadian or Mexican authorities in carrying out in such countries necessary operations or measures to control incipient or emergency outbreaks of insect pests or plant diseases, when such operations or measures are necessary to protect the agriculture of the United States. In performing the operations or measures authorized under this Act, the cooperating foreign country, State, or local agency shall be responsible for the authority necessary to carry out the operations or measures on all lands and properties within the foreign country or State other than those owned or controlled by the Federal Government and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary.*

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Calendar No. 1769

83D CONGRESS
2D SESSION

S. 3697

[Report No. 1756]

IN THE SENATE OF THE UNITED STATES

JULY 1 (legislative day, JUNE 22), 1954

Mr. AIKEN (for himself, Mr. KNOWLAND, Mr. KUCHEL, and Mr. ANDERSON) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

JULY 8 (legislative day, JULY 2), 1954

Reported by Mr. AIKEN, without amendment

A BILL

To amend the Act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of April 6, 1937, as amended (7 U. S. C. 148), is further amended by adding at the end thereof the following: "The Secretary of Agriculture is further authorized to cooperate with the Governments of Canada or Mexico or local Canadian or Mexican authorities in carrying out in such countries necessary operations or measures to control incipient or emergency outbreaks of insect pests or

plant diseases, when such operations or measures are necessary to protect the agriculture of the United States. In performing the operations or measures authorized under this Act, the cooperating foreign country, State, or local agency shall be responsible for the authority necessary to carry out the operations or measures on all lands and properties within the foreign country or State other than those owned or controlled by the Federal Government and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary."

Calendar No. 1769

83D CONGRESS
2D SESSION

S. 3697

[Report No. 1756]

A BILL

To amend the Act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases.

By Mr. AIKEN, Mr. KNOWLAND, Mr. KUCHEL, and Mr. ANDERSON

JULY 1 (legislative day, JUNE 22), 1954
Read twice and referred to the Committee on Agriculture and Forestry

JULY 8 (legislative day, JULY 2), 1954
Reported without amendment

SENATE - July 10

16. INSECTS; PLANT DISEASES. Passed without amendment S. 3697, to authorize cooperation with Canada or Mexico for the control of incipient or emergency outbreaks of insect pests or plant diseases (pp. 9697-8).

17. PUBLIC LANDS. The Interior and Insular Affairs Committee reported with amendments S. 620, to authorize long-term permits, leases, or easements on public lands, including national forests, to States and local political subdivisions (S. Rept. 1788) (p. 9683).

18. FOREIGN AID; SURPLUS COMMODITIES; EDUCATION. The "Daily Digest" states that the Foreign Relations Committee, continuing its executive consideration of H. R. 9678, the mutual security bill, announced that it had "reduced from $500 millio (House figure) to $350 million minimum funds to be used for surplus agricultural commodities...; with regard to transferability of funds, agreed to limit reductions from any section of the bill to 10 percent of the total of that section...; and agreed to an amendment to make foreign currency available for International Educational Exchange activities." (p. D812.)

19. RECLAMATION. Passed as reported S. 964, to authorize the Fryingpan-Arkansas project, Colo. (pp. 9696-7).

The Interior and Insular Affairs Committee reported with amendments H. R. 2235, to authorize the Santa Maria project, Calif. (S. Rept. 1789) (p. 9683)

20. WATER COMPACT. Passed without amendment S. 3699, consenting to a La.-Tex. compact relating to Sabine River waters (pp. 9709-12).

21. RECESSED until Mon., July 12 (p. 9730).

ITEMS IN APPENDIX

22. FLOOD CONTROL. Sen. Cooper inserted a Cincinnati Enquirer editorial discussing the regional problem of flood control on the Ohio River (pp. A4965-6).

23. TVA. Sen. Sparkman inserted a Washington Post editorial discussing protests which have arisen regarding the administration's power policies (p. A4966).

24. PRICE SUPPORTS. Speech of Rep. Dorn stating that it would be "most unfair" to the farmer not to support at least basic commodities and urging Congress to "accept a farm bill that will protect the interest of our entire Nation" (pp. A4966-7).

25. HEALTH. Rep. Heselton inserted Secretary Hobby's speech and several communications and press releases favoring H. R. 8356, which implements the President's recommendation of a program to improve the public health by encouraging more extensive use of the voluntary prepayment method of insurance (pp. A4974-5, A4976-8).

26. FOREIGN AID. Rep. Smith, Wis., inserted a Newsweek editorial, "Foreign Aid Forever?" criticizing continued "handouts" and favoring aid by loans rather than grants (pp. A4975-6).

BILL APPROVED BY THE PRESIDENT

27. SURPLUS COMMODITIES; FOREIGN TRADE. S. 2475, the "Agricultural Trade Development and Assistance Act of 1954." Approved July 10, 1954. (Public law number not yet available.) The Act provides as follows:

Title 1 authorizes the President, until June 30, 1957, to carry out a program for the sale for foreign currencies of surplus agricultural commodities under agreements with friendly nations or organizations of friendly countries. In negotiating the agreements, the President is required to take precautions to assure no undue disruption of the world prices, to assure use of private trade channels to the maximum extent practicable, and to assure no resale or transshipment of the commodities to other countries without approval of the President. Friendly nations are to be afforded maximum opportunities to purchase surplus commodities from the United States, and the program is to be utilized as to develop and expand continuous market demand abroad for agricultural commodities.

Surplus agricultural commodities acquired by the Commodity Credit Corporation in its price support operations are to be made available for sale under the Act, and the funds and other assets of the CCC are to be used to finance the sale and exportation not only of surplus commodities owned by it or under price support loan, but also, if the Corporation cannot supply the desired commodity from its own stocks, to finance the sale of privately owned stocks. The CCC may finance the sale and exportation of privately owned stocks even though the Corporation is in a position to supply the commodity itself, if the private exporter acquires from the CCC the same commodity of comparable value and quantity. The President may issue letters of commitment against funds or guarantees of funds supplied by the CCC, which letters shall constitute obligations of the United States.

The foreign currencies which accrue under the title may be used for (1) development of new markets for United States agricultural commodities; (2) purchase of strategic and critical materials, to establish a stockpile additional to and supplemental to the quantities acquired under the Strategic and Critical Materials Stockpile Act; (3) procurement of military equipment, and defense materials, facilities and services; (4) financing the purchase of goods or services for other friendly countries; (5) promotion of international economic development and trade; (6) payment of United States obligations abroad; (7) loans to promote multilateral trade and economic development; (8) financing international educational exchange activities.

Any department or agency of the Government using any of the currencies for any purpose for which funds have been appropriated must reimburse the CCC in an amount equivalent to the dollar value of the currencies used. To the extent the Corporation is not thus reimbursed by other agencies, an appropriation is authorized to make payment to the CCC for the Corporation's investment in the commodities used under the Act, including processing, packaging, transportation and handling costs, and for costs incurred in financing the exportation of commodities. Transactions cannot be carried out which require an appropriation in excess of $700,000,000.

Title II directs the CCC to make available to the President surplus agricultural commodities for transfer to friendly nations and friendly populations in order to meet famine or other relief requirements. In addition, the President is authorized to make transfers on a grant basis to assist friendly countries or voluntary foreign relief agencies. No programs are to be undertaken after June 30, 1957, and total expenditures, including the Corporation's investment in the commodities and costs of delivery f.o.b. vessel, are not to exceed $300,000,000.

Title III amends sections 407 and 416 of the Agricultural Act of 1949 and contains a provision for barter or exchange of CCC-owned commodities.

The CCC is authorized to make farm commodities or products owned or controlled by it, available in labor distress areas and in connection with any major disaster (as determined by the President), on terms and conditions determined by the Secretary. The Corporation is to be reimbursed for any costs

unit be divided into two or more irrigation blocks.

(b) Notwithstanding any provision of law to the contrary, net revenues derived from the sale of commercial power and from the furnishing of water for municipal, domestic, and industrial use shall first be applied to the amortization, with interest, of those portions of the actual cost of construction of the project which are allocated, respectively, to commercial power and to municipal, domestic, and industrial water supply and shall thereafter be applied to amortization of that portion of said actual cost which is allocated to irrigation but which is beyond the ability of the irrigation water users to return during the period hereinbefore specified. The interest rate on the unamortized balance of the commercial power and the municipal, domestic, and industrial water supply allocations shall be equal to the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its long-term loans outstanding on the date of this act.

(c) No part of the specific municipal water-supply systems described in Senate Document No. 106, 82d Congress, shall be constructed by the Secretary in the absence of evidence satisfactory to him that it would be infeasible for the communities involved to construct such works themselves, singly or jointly. In the event it is determined that such facilities are to be constructed by the Secretary, a contract providing, among other things, for payment of the actual cost thereof with interest and repayment period as hereinbefore provided, and as rapidly as is consistent with the contracting parties' ability to pay, and for assumption by the contracting party or parties of the care, operation, maintenance, and replacement of the works shall be a condition precedent thereto.

(d) No contract for a supplemental water supply for irrigation under this act shall contain any restrictions respecting the right to receive such supply based upon ownership of irrigable lands, nor shall the excess-land provisions of the Federal reclamation laws be applicable to lands served by the Fryingpan-Arkansas project which now have an irrigation supply from sources other than a Federal reclamation project.

SEC. 3. The Fryingpan-Arkansas project shall be operated under the direction of the Secretary of the Interior in accordance with the operating principles set forth on pages 20–23 of Senate Document No. 106, 82d Congress. The Secretary may appoint the two representatives of the United States to the Commission referred to in paragraph 17 of said principles and may adopt modification thereof upon the recommendation of the Commission: *Provided*, That such recommendations are made and adopted by said Commission in conformity to the provisions of paragraph 17 of said operating principles.

SEC. 4. Any and all benefits and rights of western Colorado water users in and to water stored in the Green Mountain Reservoir, Colorado-Big Thompson project, as described, set forth and defined in Senate Document No. 80, 75th Congress, 1st session, shall not be impaired, prejudiced, abrogated, nullified, or diminished in any manner whatever by reason of the authorization, construction, operation, and maintenance of the Fryingpan-Arkansas project authorized by this act.

SEC. 5. Any provision of law to the contrary notwithstanding, the project herein authorized shall be operated in such a manner that those in eastern Colorado using project water imported from the Colorado River Basin for domestic purposes shall have preference over those claiming or using the water for any other purpose.

SEC. 6. The Secretary is authorized to plan, construct, operate, and maintain public recreational facilities on lands withdrawn or acquired for the development of the Fryingpan-Arkansas project, to conserve the scenery, the natural, historic, and archeologic objects, and the wildlife on said lands, and to provide for public use and enjoyment of the same and of the water areas created by these projects by such means as are consistent with the primary purposes of said project and to mitigate losses of and improve conditions for the propagation of fish and wildlife in connection with the development of the Fryingpan-Arkansas project. The Secretary is authorized to acquire lands and to withdraw public lands from entry or other disposition under the public land laws for the construction, operation, and maintenance of recreational facilities in connection with the said project, and to dispose of them to Federal, State, and local governmental agencies by lease, transfer, exchange, or conveyance, upon such terms and conditions as will best promote their development and operation in the public interest. The costs, including the operation and maintenance costs of all said undertakings shall be nonreimbursable and nonreturnable under the reclamation laws, and funds appropriated for carrying out the authorization contained in section 1 of this act shall, without prejudice to the availability of other appropriated moneys for the same purpose, also be available for carrying out the investigations and programs authorized in this section.

SEC. 7. (a) The use of water diverted from the Colorado River to the Arkansas River Basin through works constructed under authority of this act shall be subject to and controlled by the Colorado River compact, the upper Colorado River Basin compact, the Boulder Canyon Project Act, and the Mexican Water Treaty (treaty series 994), as hereinbefore provided, and shall be included within and shall in no way increase the total quantity of water to the use of which the State of Colorado is entitled and limited under said compacts, statute, and treaty, and every contract entered into under this act for the storage, use, and delivery of such water shall so recite.

(b) All works constructed under authority of this act, and all officers, employees, permittees, licensees, and contractees of the United States and of the State of Colorado acting pursuant thereto, and all users and appropriators of water of the Colorado River system diverted or delivered through the works constructed under authority of this act and any enlargements or additions thereto shall observe and be subject to said compacts, statute, and treaty, as hereinbefore provided, in the diversion, delivery, and use of water of the Colorado system, and such condition and covenant shall attach as a matter of law whether or not set out or referred to in the instrument evidencing such permit, license, or contract and shall be deemed to be for the benefit of and be available to the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming and the users of water therein or thereunder by way of suit, defense, or otherwise in any litigation respecting the waters of the Colorado River system.

(c) None of the waters of the Colorado River system shall be exported from the natural basin of that system by means of works constructed under authority of this act, or extensions and enlargements of such works, to the Arkansas River Basin for consumptive use outside of the State of Colorado, and no such waters shall be made available for consumptive use in any State not a party to the Colorado River compact by exchange or substitution or, as far as the same is controllable through the operation of works herein or hereafter authorized, by use of return flow.

(d) No right or claim of right to the use of the waters of the Colorado River system shall be aided or prejudiced by this act, and the Congress does not, by its enactment, construe or interpret any provision of the Colorado River compact, the upper Colorado River Basin compact, the Boulder Canyon Project Act, or the Mexican Water Treaty or subject the United States to, or approve or disapprove any intepretation of, said compacts, statute, or treaty, anything in this act to the contrary notwithstanding.

SEC. 8. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. WILLIAM A. CURRAN—BILL REFERRED TO THE COMMITTEE ON THE JUDICIARY

The bill (S. 2634) for the relief of Mrs. William A. Curran was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. McCARRAN subsequently said: Mr. President, I ask that the Senate revert for a moment to Calendar No. 1768, Senate bill 2634, for the relief of Mrs. William A. Curran, which bill appears to have been objected to. I have read the report on the bill and also the bill. This is a claims bill and, being a claims bill, it should have gone to the one committee in the Senate which has jurisdiction over claims, which is the Committee on the Judiciary. I do not understand why the bill should have been reported from any other committee. The bill was objected to, but I understand there is a movement on foot to take the bill up again. It is a claims bill and, strictly speaking, it should have gone to the Committee on the Judiciary.

Mr. President, I ask unanimous consent that the bill be referred to the Committee on the Judiciary.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the bill will be referred to the Committee on the Judiciary.

CONTROL OF OUTBREAKS OF INSECT PESTS OR PLANT DISEASES

The bill (S. 3697) to amend the act of April 6, 1937, as amended, to include cooperation with the Government of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act of April 6, 1937, as amended (7 U. S. C. 148), is further amended by adding at the end thereof the following: "The Secretary of Agriculture is further authorized to cooperate with the Governments of Canada or Mexico or local Canadian or Mexican authorities in carrying out in such countries necessary operations or measures to control incipient or emergency outbreaks of insect pests or plant diseases, when such operations or measures are necessary to protect the agriculture of the United States. In perform-

ing the operations or measures authorized under this act, the cooperating foreign country, State, or local agency shall be responsible for the authority necessary to carry out the operations or measures on all lands and properties within the foreign country or State other than those owned or controlled by the Federal Government and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary."

CORRECTION OF ERRORS IN PUBLIC LAW 368, 83D CONGRESS

The bill (H. R. 9561) to correct typographical errors in Public Law 368, 83d Congress, was considered, ordered to a third reading, read the third time, and passed.

LOAN OR GIFT OF WORKS OF ART AND OTHER MATERIAL

The Senate proceeded to consider the bill (H. R. 9006) to amend the act of May 22, 1896, as amended, concerning the loan or gift of works of art and other material, which had been reported from the Committee on Armed Services, with amendments, to strike out all after the enacting clause, and insert:

That (a) the Secretary of the Army is authorized to transfer to the Australian War Memorial in Canberra, Australia, without compensation, 28 German war paintings depicting Australian troops which are now the property of the United States in custody of the Secretary of the Army.

(b) Nothing contained in this act shall authorize the expenditure of any funds of the United States to defray any cost of transportation or handling incident to such transfer.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to authorize the Secretary of the Army to donate 28 paintings to the Australian War Memorial."

RECONVEYANCE OF CERTAIN LANDS TO GOVERNMENT GRANTORS

The bill (H. R. 6422) to authorize the Secretary of the Army to convey to the Government grantors certain lands erroneously conveyed by them to the United States, was announced as next in order.

Mr. MORSE. Mr. President, it is my understanding that in this bill all that is sought to be done is to correct an erroneous conveyance previously made by the Army. The Federal Government, in fact, has no legal right, from the standpoint of equity, in the property. A mistake was made. It is now sought to correct the mistake by giving to the true owners of the property a clear title to it.

Mr. SALTONSTALL. Mr. President, what the Senator from Oregon has said is correct.

Mr. IVES. The Senator from Massachusetts has said exactly what I had intended to say.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

TALENT DIVISION OF THE ROGUE RIVER BASIN RECLAMATION PROJECT, OREGON—BILL PASSED OVER

The bill (S. 3134) to authorize the Secretary of the Interior to construct, operate, and maintain the Talent Division of the Rogue River Basin reclamation project, Oregon, was announced as next in order.

Mr. SMATHERS. Mr. President, may we have an explanation of the bill?

Mr. CORDON. Mr. President, did the Senator from Florida desire an explanation of the bill?

Mr. SMATHERS. Yes. Actually, it is the opinion of the calendar committee that neither this bill nor the next bill is properly calendar business. It was the intention of members of the calendar committee to object. If the Senator from Oregon desires to make an explanation, well and good, but I do not see the urgent nature of the bill.

Mr. CORDON. I shall be happy to make an explanation. I know of no outstanding urgency. The only urgency is the need for water, so that the people can irrigate their lands.

Mr. SMATHERS. I may say that it is the opinion of the calendar committee, on this side of the aisle, that this is not a bill which should be considered on the call of the calendar. Therefore, I ask that it go over.

Mr. MORSE. Mr. President, will the Senator withhold his request, so that I may make a brief comment?

Mr. SMATHERS. I shall be happy to do so.

Mr. MORSE. So far as this particular bill is concerned, it is a very sound one. I hope it can be taken up by motion at a very early date. Certainly the people in the area concerned need, very much, the water which will be provided by the improvement in this irrigation district. I hope there can be an early vote on the bill.

The PRESIDING OFFICER. The bill will be passed over.

COUGAR DAM AND RESERVOIR, OREG.—BILL PASSED OVER

The bill (H. R. 7815) to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork McKenzie River, Oreg., with participation for power by the city of Eugene, Oreg., was announced as next in order.

Mr. MORSE. Mr. President, I am surprised that this bill is on the calendar. I was of the opinion that it would not be placed on the calendar until the minority views on the bill, which I had been asked to prepare, had been submitted. The day before yesterday I spoke to the chairman of the Committee on Public Works, as I did again yesterday, pointing out that I had been at work on the minority views concerning the Niagara bill, a bill which had been acted on by the Committee on Public Works at least 2, or perhaps 3, weeks before action was taken on the Cougar Dam bill.

Only last week did I complete my work on the minority views relating to the Niagara bill. It is now in circulation among the other minority members of the committee. I am now at work on the minority views concerning the Cougar Dam bill. Certainly, I do not intend to consent to the passage of the Cougar Dam bill on the consent calendar at any time, because I think it is a measure which calls for a very detailed and thorough discussion of the whole power policy of the Government. I am disappointed that the bill has been placed on the calendar before I have had an opportunity to complete my work on the minority views. I had said to the chairman of the committee that I would be ready by the first part of next week.

I object.

Mr. BUSH. Mr. President, if the Senator from Oregon will permit me to say so, I wish to observe, in that connection, that at my request his office was notified yesterday that the report would be filed on the Cougar Dam bill.

The PRESIDING OFFICER. Does the Senator from Connecticut withhold his objection?

Mr. BUSH. I have no objection.

Mr. MORSE. The Senator from Connecticut has made a very interesting comment. I do not know what notification to my office yesterday that the bill would be reported yesterday has to do with what I think was a very clear understanding that the bill would not be reported until there had been an opportunity for the minority members of the committee to submit minority views.

The PRESIDING OFFICER. Will the Senator from Oregon withhold his objection, so that the Senator from Connecticut may make a statement?

Mr. MORSE. I thought he had yielded to me.

The PRESIDING OFFICER. The question is, Does the Senator from Oregon withhold his objection, so that the Senator from Connecticut may make a statement?

Mr. MORSE. By all means.

Mr. BUSH. I thank the Senator. I simply wish to say that the office of the Senator from Oregon was notified, I should say 2 or 3 days ago, that it was the intention of the committee to report the bill. There was no understanding that the report should be withheld pending the submission of minority views, which the Senator from Oregon desired to make. I do not think anything wrong has been done by following that procedure.

Mr. MARTIN. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. First, I wish to answer directly the Senator from Connecticut; then I will yield.

I am perfectly willing to let the records of the Committee on Public Works speak for themselves. When the Cougar Dam bill was finally acted upon after a rather prolonged discussion in the committee, I obtained permission from the committee to have a reasonable time in which to prepare minority views on the bill, before the bill was reported to the Senate.

BREAKS INTERSTATE PARK, AND NOMINATIONS

Committee on the Judiciary: Committee, in executive session, ordered favorably reported with amendments S. 3168, granting the consent and approval of Congress to an interstate compact relating to the creation, development, and operation by the States of Kentucky and Virginia of a park to be known as the Breaks Interstate Park.

The committee also approved the nominations of Walter E. Hoffman to be U. S. district judge for the eastern district of Virginia, and William A. O'Brien to be U. S. marshal for the eastern district of Pennsylvania.

Also, the committee authorized the chairman to request that the committee be discharged from further consideration of H. R. 1325 and S. 2449, private bills, S. 2631, to prohibit the payment of Government retirement benefits to persons convicted of certain offenses, and S. 603, to prohibit labor espionage.

ALIENS

Committee on the Judiciary: Immigration and Naturalization Subcommittee continued its hearings on S. 3660, Illegal Employment of Aliens Act of 1954, and S. 3661, Illegal Transportation of Aliens Act of 1954, with testimony from the following witnesses, all of whom were proponents of the bills: Rocco Siciliano, Assistant Secretary of Labor for Employment and Manpower; Nicholas Dragon, CIO regional representative, Phoenix; Rev. Matthew Kelley, executive secretary, regional office of the Bishops' Committee for Spanish Speaking People, Houston; Walter Mason, AFL; and Ernest Galarza, National Agricultural Workers Union, AFL. Hearings continue tomorrow.

SCHOOL CONSTRUCTION

Committee on Labor and Public Welfare: Subcommittee on Education held and concluded hearings on S. 3450, 3628, and 3629, bills providing financial assistance to school construction and maintenance and operation of schools in areas affected by Federal activities. Testimony was heard from the following witnesses, all of whom favored the general principles of the proposed legislation: Senators Burke, Bridges, and Pastore; John R. Teichert, Waverly Local Board of Education, Waverly, Ohio; C. A. Way, assistant superintendent of schools, Pike County, Ohio; W. J. Beoddy, executive head, Pike County Schools, Ohio; Dr. Samuel M. Brownell, Commissioner, accompanied by B. A. Lillywhite, Associate Director, Division of School Assistance in Federally Affected Areas, both of Office of Education, Department of HEW; S. Tani, State planning and development commission, New Hampshire; Stowe Wilder, board of education, Portsmouth, N. H.; Maurice Blais, board of education, Dover, N. H.; Roy Gillmore, superintendent of school union No. 21, Hampton, N. H.; J. H. Rice, assistant superintendent of schools, Fairfax County, Va.; Leonard Maine, superintendent of schools, Portsmouth, R. I.; Oscar V. Rose, superintendent of schools, Midwest City, Okla. (introduced by Senator Monroney); and Carl Barablec, superintendent of schools, Roseville, Mich.

INVESTIGATING COMMITTEES—RULES OF PROCEDURE

Committee on Rules and Administration: Subcommittee on Rules continued its hearings on miscellaneous resolutions dealing with rules of procedure for investigating committees. Witnesses heard today were Senators Ferguson, Saltonstall, and Stennis; Representative Velde; Robert L. Kunzig, chief counsel, House Committee on Un-American Activities; and A. M. Downer, VFW, who was accompanied by his associates. Hearings continue tomorrow.

House of Representatives

Chamber Action

Bills Introduced: 11 public bills, H. R. 9880–9890; 10 private bills, H. R. 9891–9900; and 4 resolutions, H. Con. Res. 253 and H. Res. 627–629, were introduced.

Page 9872

Bills Reported: Reports were filed as follows:

Two private bills, H. R. 2015 and 7229 (H. Repts. 2186 and 2187, respectively);

S. 3385, to provide for more effective extension work among Indian tribes and members thereof (H. Rept. 2188);

H. R. 5832, regarding sale of public lands in Hawaii to any lessee, sublessee, or permittee under a revocable permit who has been on such lands not less than 10 years and is a citizen or has declared his intention to become one (H. Rept. 2189);

H. R. 6814, to facilitate the acquisition of non-Federal land within areas of the national park system (H. Rept. 2190);

H. R. 7912, to abolish the Old Kasaan National Monument, Alaska, and provide that the lands thereof shall be administered as a part of the Tongass National Forest (H. Rept. 2191);

H. R. 8205, to authorize the conveyance to the Virginia Electric & Power Co. of a perpetual easement of right-of-way for electric-transmission-line purposes across lands of the Richmond National Battlefield Park, Va. (H. Rept. 2192);

H. R. 7568, a private bill (H. Rept. 2193);

H. R. 9690, to amend section 7 (d) of the Internal Security Act of 1950, as amended (H. Rept. 2194);

H. R. 8898, to amend the Civil Aeronautics Act re certificates of public convenience (H. Rept. 2195);

13 private bills, S. 46, 1165, 1634; H. R. 1157, 1701, 3237, 4185, 5807, 5870, 6526, 6697, 7093, and 9357 (H. Repts. 2196–2208, respectively);

H. R. 8628, places crude silicon carbide on the free list of imports (H. Rept. 2209);

H. R. 9248, to remove racehorses from the provisions of law granting temporary free importation in the country under bond for exportation within a limited period (H. Rept. 2210);

Conference report on H. R. 5731, to authorize construction, operation, and maintenance of certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif. (H. Rept. 2211); and

H. R. 5796, to amend the Bankruptcy Act to make tax liens of States and their subdivisions valid against trustees in bankruptcy (H. Rept. 2212); and

H. Res. 627, reiterating the opposition of the House of Representatives to the seating of Communist China in the United Nations (H. Rept. 2213). Pages 9871–9872

Columbia River Power: H. R. 7664, providing for development of Priest Rapids site on the Columbia River, was cleared for Presidential action when the House concurred in Senate amendments thereto. Page 9813

Bank Loans: Vacated proceedings of passage on July 12 of H. R. 9144, relating to the lifting of restrictions or limitations upon real-estate loans to established industrial or commercial businesses in which the Small Business Administration cooperates, and passed S. 3480, a similar bill. This action clears the legislation for the White House. Page 9814

Health Insurance: By a rollcall vote of 238 yeas to 131 nays H. R. 8356, the health service prepayment plan reinsurance bill, was recommitted to the Committee on Interstate and Foreign Commerce.

H. Res. 623, the open rule waiving points of order against, and making in order the consideration of a committee substitute amendment to the bill, was adopted earlier by a record vote of 274 yeas to 88 nays. Pages 9810–9813, 9814–9847

Education: Representative Barden was replaced by Representative Kelley of Pennsylvania as a conferee on three bills relating to education (H. R. 7434, 7601, and 9040), after reading of letter of resignation of Mr. Barden as a conferee. Page 9847

Vocational Rehabilitation: Representative Bailey was appointed to replace Representative Barden as a conferee on S. 2759, to promote and assist in the extension and improvement of vocational rehabilitation services. Page 9847

Bills Referred: Three Senate-passed bills were referred to appropriate committees. Page 9870

Program for Wednesday: Adjourned at 7:03 p. m. until Wednesday, July 14, at 12 o'clock noon when the House will consider S. 3458, authorizing the long-term charter of tankers by the Secretary of the Navy; and S. 3539, reenlistment bonuses for members of uniformed services; also may act on H. R. 236, authorizing the construction of the Fryingpan-Arkansas project in Colorado.

Committee Meetings

WATER—FARM LOANS—INSECT DISEASES

Committee on Agriculture: Ordered the following bills reported to the House—

S. 3137, amended, extending to the entire Nation certain provisions of the act of 1937 relating to conservation of water resources;

S. 3245, amended, to provide a new emergency loan program for farmers and stockmen; and

S. 3697, cooperation with Canada or Mexico for the control of insects and plant diseases.

Recessed until tomorrow when it will conduct public hearings on fungible goods purchased from the CCC, and a bill on agricultural land administration.

MILITARY PAY AND RETIREMENT

Committee on Armed Services: The Arends subcommittee approved the following bills for reporting to the full committee—S. 22, to validate certain payments for accrued leave made to members of the Armed Forces who accepted discharges for the purpose of immediate reenlistment for an indefinite period; H. R. 9302, amended, to permit retired members of the uniformed services who have elected to receive a reduced amount of retired pay in order to provide an annuity under the Uniformed Services Contingency Option Act of 1953, to revoke such election within 60 days after the date of enactment of this act where such elections were made because of mathematical errors or misinformation; and H. R. 9804, a private bill.

Lt. Col. Joseph Marshall, Office of Chief of Finance (Army), testified on S. 22. Speaking on H. R. 9302 were Representatives Bennett (Florida) and Miller (Maryland); Joseph Hoyt, Special Assistant to Chief of Naval Personnel; and Capt. Franz Willenbucher of the Retired Officers Association. Testimony on H. R. 9804 was received from Lt. J. M. Swing (U. S. Army, retired), Commissioner of Immigration and Naturalization, Department of Justice.

MILITARY HOUSING

Committee on Armed Services: The Special Subcommittee on Military Housing resumed on H. R. 9463, and virtually completed the Navy section of the measure. Meeting with the group were Rear Adm. Sherman R. Clark, Director, Shore Establishment Development and

83D CONGRESS
2D SESSION

S. 3697

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 1954

Referred to the Committee on Agriculture

AN ACT

To amend the Act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of April 6, 1937, as amended (7 U. S. C. 148), is further amended by adding at the end thereof the following: "The Secretary of Agriculture is further authorized to cooperate with the Governments of Canada or Mexico or local Canadian or Mexican authorities in carrying out in such countries necessary operations or measures to control incipient or emergency outbreaks of insect pests or

plant diseases, when such operations or measures are necessary to protect the agriculture of the United States. In performing the operations or measures authorized under this Act, the cooperating foreign country, State, or local agency shall be responsible for the authority necessary to carry out the operations or measures on all lands and properties within the foreign country or State other than those owned or controlled by the Federal Government and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary."

Passed the Senate July 10 (legislative day, July 2), 1954.

Attest: J. MARK TRICE,

Secretary.

83D CONGRESS
2D SESSION

S. 3697

AN ACT

To amend the Act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases.

JULY 12, 1954
Referred to the Committee on Agriculture

83D CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
No. 2251

CONTROL OF INCIPIENT OR EMERGENCY OUTBREAKS OF INSECT PESTS OR PLANT DISEASES

JULY 15, 1954.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HOPE, from the Committee on Agriculture, submitted the following

REPORT

[To accompany S. 3697]

The Committee on Agriculture, to whom was referred the bill (S. 3697) to amend the act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of this bill is to authorize the Department of Agriculture to cooperate with the Governments of Mexico and Canada or local Mexican or Canadian authorities to carry out in such countries emergency operations to control outbreaks of insect pests or plant diseases which threaten to cross the border into the United States. At the present time, the Department has such emergency authority inside the United States and is provided with a contingency fund of $400,000 for use in such emergencies. The bill reported herewith would amend this authority to permit the contingency fund to be used for similar emergencies in the areas of Mexico and Canada.

The immediate need for the legislation is an outbreak of Mexican fruitfly infestation in two areas of Mexico close to the United States border.

The legislation was introduced at the request of the Secretary of Agriculture contained in identical letters to the Speaker of the House and the President of the Senate on June 28, 1954. The bill reported herewith (S. 3697) is identical with the bill H. R. 9819 which was introduced in the House pursuant to the request in the executive communication. The following is a copy of the letter from the Department

of Agriculture to the Speaker of the House requesting this legislation and explaining in detail the need for it:

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., June 28, 1954.

The SPEAKER,
United States House of Representatives.

DEAR MR. SPEAKER: Under the provisions of the act of April 6, 1937, as amended, the Secretary, in cooperation with authorities of the States concerned, organizations, or individuals, is authorized and directed to apply such methods for the control of incipient or emergency outbreaks of insect pests or plant diseases as may be necessary. It is proposed to amend this legislation to permit cooperation with the Governments of Canada or Mexico, or local Canadian or Mexican authorities, to carry out in such countries necessary operations or measures to control incipient or emergency outbreaks of insect pests or plant diseases, when such operations or measures are necessary to protect the agriculture of the United States.

The proposed amendment to the legislation would provide authority for this Department to take necessary steps to combat an incipient outbreak of the Mexican fruitfly in Mexico. This insect is native to northeastern Mexico but has recently been found in northwestern Mexico in the city of Tiajuana, at the California border, and at Hermosillo, Sonora, south of the Arizona border. It also has spread gradually to central Mexico. It attacks citrus and apples, pears, peaches, and other soft fruits. It is conservatively estimated that the annual retail value of the host fruits grown in California and Arizona is one-half billion dollars. If this pest becomes established in these fruit-producing areas, these States will be deprived of out-of-State markets pending the development of costly quarantine procedures acceptable to other States.

While the outbreak of the Mexican fruitfly is limited at the present time, it constitutes a sufficient threat to the fruit industry in the southwestern United States to warrant emergency measures to eradicate the outbreak and to prevent its introduction. A joint Mexican-United States program is contemplated. Our participation in the program in Mexico is primarily for the protection of the United States—initiating protective measures and suppressive action on the Mexican side of the border where citrus and other host trees are confined largely to home plantings—with Mexican officials cooperating fully in any preventive program.

The agricultural appropriation bill for 1955, as passed by the Senate includes $227,500 for the project "Citrus blackfly and Mexican fruitfly control." Work under this project is carried out in Mexico under the general authority of the Department of Agriculture Organic Act of 1944. Funds under this project are required to cope with existing infestations along the Texas-Mexican border and adjoining areas in Mexico. The logical source of financing any new emergency outbreak which may occur would be from the $400,000 contingency fund which is used for that purpose in the United States. The basic legislation for this emergency fund does not authorize operations in Mexico and in this respect is more restrictive than the general authority of the Department's Organic Act of 1944. It is believed that the current outbreak of the Mexican fruitfly would require $60,000 under this proposed authority in fiscal year 1955.

With respect to Canada, for a number of years appropriation language under the item "Control of emergency outbreaks of insects and plant diseases" contained a provision to carry out control operations in Canada or with local Canadian authorities in connection with an outbreak of pear psylla in Canada in 1940. This proviso was eliminated from the 1955 appropriation language since it was not immediately needed, and further, it was considered to be subject to a point of order. The proposed amendment has been drafted to include Canada to permit prompt action in the event of a new outbreak in that country of any of the rapidly spreading insects or plant diseases that might threaten the agriculture of the United States.

The additional authority under the proposed amendment would be used only to the extent of carrying out in such countries necessary operations or measures to control incipient or emergency outbreaks of insect pests or plant diseases where immediate action is deemed necessary to eradicate, suppress, control, and prevent or retard the spread of such outbreaks into the United States. When it is determined that the threat of such insect or plant disease no longer warrants emergency measures and the program becomes stabilized, funds as may be required for carrying out maintenance or control measures will be requested under the regular control items rather than being financed from the contingency fund.

There is attached draft of a bill to this end. It would be appreciated if this proposed legislation could be placed in the proper channels for the consideration of Congress.

The Bureau of the Budget advises that there is no objection to the transmission of this proposed legislation to Congress for its consideration.

Sincerely yours,

E. T. Benson, *Secretary.*

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

Act of April 6, 1937, as Amended

Section 1. The Secretary of Agriculture, in cooperation with authorities of the States concerned, organizations, or individuals, is authorized and directed to apply such methods for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs as may be necessary. *The Secretary of Agriculture is further authorized to cooperate with the Governments of Canada or Mexico or local Canadian or Mexican authorities in carrying out in such countries necessary operations or measures to control incipient or emergency outbreaks of insect pests or plant diseases, when such operations or measures are necessary to protect the agriculture of the United States. In performing the operations or measures authorized under this Act, the cooperating foreign country, State, or local agency shall be responsible for the authority necessary to carry out the operations or measures on all lands and properties within the foreign country or State other than those owned or controlled by the Federal Government and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary.*

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Union Calendar No. 778

83D CONGRESS
2D SESSION

S. 3697

[Report No. 2251]

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 1954
Referred to the Committee on Agriculture

JULY 15, 1954
Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

AN ACT

To amend the Act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of April 6, 1937, as amended (7 U. S. C. 148), is further amended by adding at the end thereof the following: "The Secretary of Agriculture is further authorized to cooperate with the Governments of Canada or Mexico or local Canadian or Mexican authorities in carrying out in such countries necessary operations or measures to control incipient or emergency outbreaks of insect pests or

plant diseases, when such operations or measures are necessary to protect the agriculture of the United States. In performing the operations or measures authorized under this Act, the cooperating foreign country, State, or local agency shall be responsible for the authority necessary to carry out the operations or measures on all lands and properties within the foreign country or State other than those owned or controlled by the Federal Government and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary."

Passed the Senate July 10 (legislative day, July 2), 1954.

Attest: J. MARK TRICE,

Secretary.

Union Calendar No. 778

83D CONGRESS
2D SESSION

S. 3697

[Report No. 2251]

AN ACT

To amend the Act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases.

JULY 12, 1954

Referred to the Committee on Agriculture

JULY 15, 1954

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued August 4, 1954
For actions of August 3, 1954
83rd-2nd, No. 148

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HIGHLIGHTS: House passed bills to: Cooperate with Mexico and Canada on insect and plant-disease control, authorize long-term leases for forest lands, permit CCC corn sales at lower prices, provide group life insurance for Federal employees, authorize Interior to make loans for reclamation projects. House concurred in Senate corrections of water-facilities loans bill. Reps. Hope and McCormack discussed bill to extend Commodity Exchange Act to coffee. Rep. Patman urged Government aid for family-size farms. Senate passed mutual security bill. Senate debated supplemental appropriation bill, agreeing to committee amendments and further increase in FHA loans. Senate confirmed Butz nomination to CCC Board. Senate committee ordered reported Mexican boundary fence bill. Sen. Knowland announced that debate will begin today on farm program bill.

HOUSE

1. WATER-FACILITIES LOANS. Agreed to the Senate corrections of S. 3137, to amend the Water Facilities Act (pp. 12415-6). This bill will now be sent to the President.

2. CCC GRAIN. Passed as reported H. J. Res. 563, to authorize CCC, until Mar. 1, 1955, to sell at the point of storage any feed grain owned by the Corporation at 10% above the current support price for the commodity (p. 12442). The Agriculture Committee reported the measure with amendment earlier in the day (H. Rept. 2609)(p. 12455).

3. RECLAMATION LOANS. Passed as reported H. R. 5301, under which State and local public agencies could plan, construct, and operate projects costing not over $5 million and receive substantially the same benefits as they would receive if the projects were being constructed as Federal reclamation projects. The bill authorizes the Interior Department to make loans for that portion of a project which would be reimbursable if it were being constructed as a Federal project, and grants for that portion of the project which would be nonreimbursable if it were being constructed as a Federal project. (pp. 12438-40.)

4. INSECTS; PLANT DISEASES. Passed without amendment S. 3697, to authorize

cooperation with Canada or Mexico, or local authorities in those countries, in the control of incipient or emergency outbreaks of insect pests and plant diseases (p. 12383). This bill will now be sent to the President.

5. FORESTRY. Passed as reported H. R. 1254, which authorizes the issuance by Federal agencies of permits, leases, or easements to States or local governments for periods not to exceed 30 years, on lands within their respective jurisdictions (p. 12382).

6. WATER RESOURCES. Passed as reported H. R. 2843, to authorize the Interior Department to investigate and report to Congress on the conservation, development, and utilization of water resources in Hawaii (p. 12381).

7. TRANSPORTATION. Passed without amendment H. R. 6310, to exempt from CAB regulations the transportation of livestock, fish, floricultural, and horticultural commodities (p. 12384).

8. WATER COMPACT. Passed without amendment S. 3699, approving an interstate compact regarding Sabine River waters (p. 12388). This bill will now be sent to the President.

9. PERSONNEL. Passed without amendment S. 3681, authorizing the Civil Service Commission to make available group life insurance for Federal employees (pp. 12421-7). This bill will now be sent to the President. For its provisions see Digest 126.

Passed as reported H. R. 7785, to make permanent the increases in regular annuities under the Civil Service Retirement Act which were granted by Public Law 555, 82nd Cong., and extend such increases to additional annuities purchased by voluntary contributions (p. 12392).

Passed as reported H. R. 9909, to prohibit payment of annuities, under the Civil Service Retirement Act, to Federal officers and employees convicted of certain crimes (pp. 12412-4).

Passed without amendment H. R. 5718, to limit to 6 years the period for collection by the Government of compensation received by officers and employees in violation of the dual compensation laws (p. 12393).

10. RECLAMATION. Passed without amendment H. R. 9981, to provide for construction of distribution systems on authorized Federal reclamation projects by irrigation districts and other public agencies (pp.12440-1).

The Interior and Insular Affairs Committee ordered reported S. 118, authorizing the Washita River Basin project, Okla. (p. D938).

11. TRANSPORTATION; TRAVEL. The Interstate and Foreign Commerce Committee ordered reported S. 906, to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act (p. D938).

12. FLAMMABLE FABRICS. The Interstate and Foreign Commerce Committee ordered reported S. 3379, to exempt from the Flammable Fabrics Act certain fabrics which are not highly flammable (p. D938).

13. LAND TRANSFER. Passed as reported H. J. Res. 550, to permit Federal release of reversionary rights of certain property (formerly FHA) for school purposes in Kern County, Calif. (p. 12394).

14. FAMILY-SIZE FARMS. Rep. Patman recommended that Government programs be

leave made to members of the Armed Forces who accepted discharges for the purpose of immediate reenlistment for an indefinite period.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a), notwithstanding the provisions of section 4 (c) of the Armed Forces Leave Act of 1946, as amended (37 U. S. C. 33 (c)), any payments for accrued leave heretofore erroneously made to any member of the Armed Forces who was discharged after August 31, 1946, for the purpose of immediate reenlistment for an indefinite period are hereby validated.

(b) In any case in which any member or former member of the Armed Forces of the United States has received any erroneous payment which is validated by subsection (a) of this section and has been required to repay to the United States all or a portion of such erroneous payment, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to such member or former member, or in the event he is deceased, to the person entitled to receive his arrears of pay in accordance with the act of June 30, 1906, as amended (10 U. S. C. 868), a sum equal to any amount so repaid which has not been refunded to him.

(c) The Comptroller General of the United States is hereby authorized and directed to allow credit in the accounts of disbursing officers for any payment validated by this act.

Mr. HARDY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARDY: Page 1, strike out all of line 10 and on page 2 strike out lines 1 through 11, and on page 2, line 12, change the "(c)" to "(b)."

Mr. BYRNES of Wisconsin. Mr. Speaker, I move to strike out the last word. Would the gentleman please explain what change this makes in the bill as reported by the committee?

Mr. HARDY. I will be glad to do that. The bill as reported from the committee was based on some misinformation presented to the committee. The bill refers to a total of 51 members of the armed services that were erroneously paid. Without my amendment there would be a duplication of payment to 11 men. With the amendment everybody will come out even.

The SPEAKER. The question is on the amendment offered by the gentleman from Virginia [Mr. HARDY].

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING EMERGENCY CREDIT

The Clerk called the bill (S. 3245) to provide emergency credit.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CONTROL OF INCIPIENT OR EMERGENCY OUTBREAKS OF INSECT PESTS OR PLANT DISEASES

The Clerk called the bill (S. 3697) to amend the act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of April 6, 1937, as amended (7 U. S. C. 148), is further amended by adding at the end thereof the following: "The Secretary of Agriculture is further authorized to cooperate with the Government of Canada or Mexico or local Canadian or Mexican authorities in carrying out in such countries necessary operations or measures to control incipient or emergency outbreaks of insect pests or plant diseases, when such operations or measures are necessary to protect the agriculture of the United States. In performing the operations or measures authorized under this act, the cooperating foreign country, State, or local agency shall be responsible for the authority necessary to carry out the operations or measures on all lands and properties within the foreign country or State other than those owned or controlled by the Federal Government and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING CERTAIN PROPERTY TRANSACTIONS IN COCOLI, C. Z.

The Clerk called the bill (H. R. 7334) to authorize certain property transactions in Cocoli, C. Z., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Canal Zone Government and the Panama Canal Company, respectively, are authorized to transfer to the Department of the Navy, without exchange of funds, all or so much of the facilities, buildings, structures, and improvements of the respective transferor agencies situated at or within the town of Cocoli, C. Z., as may be mutually acceptable for transfer. Such facilities, buildings, structures, and improvements may be used, among other things, for occupancy by civilian personnel in accordance with the provisions of the act of March 5, 1928 (ch. 126, 45 Stat. 193), and by personnel of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and the Public Health Service and their dependents on a rental basis without forfeiture of any rental allowances, including occupancy in accordance with the provisions of the act of July 2, 1945 (ch. 227, 59 Stat. 316): *Provided,* That upon any transfer by the Canal Zone Government under this act, the capital investment in the transferred facilities, buildings, structures, and improvements shall be eliminated from the investment of the United States in the Canal Zone Government, but shall not be included in the costs of operation of that agency: *And provided further,* That transfers made by the Panama Canal Company under this act shall be subject to the provisions of section 246 of title 2 of the Canal Zone Code, as added by the act of June 29, 1948 (ch. 706, sec. 2, 62 Stat. 1076).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER OF 40 ACRES OF LAND IN NORTHERN CHEYENNE INDIAN RESERVATION, MONT.

The Clerk called the bill (H. R. 8897) to authorize and direct the Secretary of the Interior to transfer 40 acres of land in the Northern Cheyenne Indian Reservation, Mont., to School District No. 6, Rosebud County, Mont.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to transfer by patent to School District No. 6, Rosebud County, Mont., all right, title, and interest of the United States and the Northern Cheyenne Tribe, reserving however to the said Northern Cheyenne Tribe all mineral rights, including gas and oil, as provided by the act of June 3, 1926 (44 Stat. 690), in and to a tract of 40 acres of land within the Northern Cheyenne Indian Reservation, described as the northeast quarter of the southeast quarter, section 33, township 2 south, range 41 east, Montana principal meridian, subject to such existing easement, right-of-way or other interest as may now be held by the State of Montana for the routing of State Highway No. 8.

With the following committee amendments:

Page 1, line 3, strike out all of line 3 and insert "That notwithstanding any contrary provision of law the Secretary of the Interior, or his authorized representative, is hereby authorized and directed."

Page 1, line 7, after "Montana", insert "or to any other appropriate governmental agency or local school authority in Montana empowered to take title to land for construction of a public school, in accordance with the resolution of January 29, 1954, by the Northern Cheyenne Tribal Council."

Page 2, line 6, strike out "3, 1926 (44 Stat. 690), in and to a tract of 40 acres of" and insert "3, 1926 (ch. 450, 44 Stat. 690), in and to a tract of approximately 40 acres of."

Page 2, line 12, strike out "principal" and insert "prime."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGULATING PARKING AT POST OFFICE BUILDINGS

The Clerk called the bill (H. R. 9825) to authorize the Postmaster General to prohibit or regulate the use of Government property under his custody and control for the parking or storage of vehicles.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General is authorized to prescribe such regulations as he may deem necessary to pro-

hibit or regulate the use, for the parking or storage of vehicles of any kind, of any property under his custody and control which is owned by the United States for postal purposes and over which the United States has exclusive or concurrent jurisdiction.

SEC. 2. Whoever violates any regulation prescribed by the Postmaster General under authority of this act shall be punished by a fine of not more than $25; but no individual shall be liable for violating any such regulation unless at the time of such violation there was posted in a conspicuous place on the property with respect to which such violation occurred a notice calling attention to this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJUSTMENT OR CANCELLATION OF CERTAIN CHARGES ON THE MILK RIVER PROJECT

The Clerk called the bill (H. R. 7813) authorizing the Secretary of the Interior to adjust or cancel certain charges on the Milk River project.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GAVIN. Mr. Speaker, reserving the right to object, may I ask the gentleman from Montana to explain what this bill is about?

Mr. D'EWART. Mr. Speaker, a year ago we passed a law providing for certain adjustments in repayment charges on the Milk River irrigation project in Montana. We thought we had taken care of all of the provisions necessary, but under an interpretation by the attorneys downtown, we found that the law as passed did not apply to some 2,000 acres that it should have applied to. This bill simply carries out the intent of the law passed a year ago in connection with these 2,000 acres.

Mr. GAVIN. What is the amount of money involved?

Mr. D'EWART. The amount of money involved is $37,429.

Mr. GAVIN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. D'EWART. I object, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior may, in his discretion and notwithstanding the provision of any other law, adjust or cancel any charges which have accrued, or which will hereafter accrue, under Public Notice No. 5, Milk River project, Montana.

With the following committee amendment:

Page 1, line 5, strike out "charges" and insert "charges, including penalties."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND THE CIVIL AERONAUTICS ACT OF 1938

The Clerk called the bill (H. R. 6310) to amend the Civil Aeronautics Act of 1938 to exempt operations in the transportation of livestock, fish, and agricultural, floricultural, and horticultural commodities from the act and from regulation by the Civil Aeronautics Board thereunder.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ASPINALL. Mr. Speaker, reserving the right to object, will the sponsor of the bill or some member of the committee explain the departmental position on this legislation?

Mr. YOUNGER. I will be very glad to do that. The Secretary of Commerce filed a report with the committee stating that the Civil Aeronautics Board was holding a general hearing on freight-forwarder regulations, and he thought consideration of the bill ought to be delayed for that reason. But the committee, after the hearing, felt it was necessary, in order for the shippers to get relief now, that this bill should pass. The Secretary of Agriculture thought that we ought to regulate the vehicle as we do under the Motor Vehicle Act, but that cannot be done now.

Mr. ASPINALL. As I understand, there was no fundamental opposition from the Department.

Mr. YOUNGER. That is correct.

Mr. ASPINALL. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 416 (b) of the Civil Aeronautics Act of 1938 is amended by adding at the end thereof the following new paragraph:

"(3) Neither this title, nor any rule, regulation, term, condition, or limitation prescribed under this title, shall apply to any person who engages indirectly in air transportation of property consisting of livestock, fish (including shellfish), or agricultural, floricultural, or horticultural commodities (not including manufactured products thereof), and who, in the ordinary and usual course of his undertaking, (1) assembles and consolidates or provides for assembling and consolidating shipments of such property, and performs or provides for the performance of break-bulk and distributing operations with respect to such consolidated shipments, and (2) assumes responsibility for the transportation of such property from point of receipt to point of destination, and (3) utilizes for the whole or any part of the transportation of such shipments, the services of a direct air carrier, if such person does not otherwise engage in air transportation."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCORPORATING THE SONS OF UNION VETERANS OF THE CIVIL WAR

The Clerk called the bill (H. R. 8034) for the incorporation of the Sons of Union Veterans of the Civil War.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the following named persons to wit: General of the Army Douglas MacArthur, New York; Maj. Gen. Amos A. Fries, and Maj. Gen. Ulysses S. Grant, 3d, retired, Washington, D. C.; Department of California, Charles Boynton, Frank Worner, and Wilbur Coursey; Department of Colorado and Wyoming, Roy A. Davis; Department of Iowa, Roy J. Bennett, Homer L. Young, and Dr. L. L. Shoppe; Department of Indiana, Angus Ogburn, Thomas M. Horn, and Alonzo R. Stanfield; Department of Kansas, E. S. Spangler, A. P. Phillips, and William Dix; Department of Massachusets, Brig. Gen. Otis M. Whitney, Charles H. E. Moran, Col. Frederic Gilbert Bauer, and Gov. Alvan Tufts Fuller; Department of Michigan, Charles R. Cowdin, Birt Hammong, Charles F. Dexter, and Donald F. Peacock; Department of Minnesota, Donald C. Bennyhof and William A. Anderson; Department of New Hampshire, Wallace L. Mason, Cleon E. Heald, and Col. Edward Black, retired; Department of New Jersey, Albert C. Lambert, Charles A. Otto, C. Wesley Armstrong, and Dr. Karl Rothschild; Departments of Oregon and Washington, Frederick K. Davis, Dr. W. E. Buchanan, Edgar L. Gale, Austin D. McReynolds, and Glenn L. Adams; Department of Pennsylvania, C. Leroy Stoudt and Walter C. Mabie; Department of Wisconsin, Edward T. Fairchild, Roland J. Steinle, Lyall T. Beggs, and Dr. William Martin Lamers; Department of Ohio, William M. Coffin, Homer A. Ramey, Miles S. Kuhn, and S. Anselm Skelton; and their associates and successors, are hereby created a body corporate by the name of "The Sons of Union Veterans of the Civil War", by which name it shall be a person in law, capable of suing and being sued and of having and exercising all incidental powers, as a litigant or otherwise, as if it were a natural person, with power to acquire by purchase, gift, devise or bequest, absolutely or in trust for the purposes for which it is incorporated, and to hold, convey or otherwise dispose of such property, real or personal, as may be necessary or calculated to carry into effect the patriotic, fraternal, educational, and charitable purposes of the corporation.

SEC. 2. Eligibility for full membership in the corporation, and the rights and privileges of members shall be determined according to the constitution and bylaws of the corporation, but shall be limited to male blood relatives of persons who served as soldiers or sailors of the United States Army, Navy, or Marine Corps or Revenue Cutter Service between April 12, 1861, and April 9, 1865, and of such State regiments as were called into active service and subject to the orders of the United States general officers between the dates above mentioned and were honorably discharged therefrom at the close of such service or who died in such service.

SEC. 3. The object and purpose of this organization shall be: To perpetuate the memory of the Grand Army of the Republic and of the men who saved the Union in 1861 to 1865; to assist in every practicable way in the preservation and making available for research of documents and records pertaining to the Grand Army of the Republic and its members; to cooperate in doing honor to all those who have patriotically served our country in any war; to teach patriotism and the duties of citizenship; the true history of our country, and the love and honor of our flag; to oppose every tendency or movement that would weaken loyalty or make for the destruction of impairment of our constitutional Union; and to inculcate and broadly sustain the American principles of representative government, of equal rights, and of impartial justice for all.

SEC. 4. The supreme governing and controlling authority in said organization shall be the national encampment thereof, composed of such officers and representatives from the several State and other local sub-

Public Law 586 - 83d Congress
Chapter 731 - 2d Session
S. 3697

AN ACT

All 68 Stat. 717.

To amend the Act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of April 6, 1937, as amended (7 U. S. C. 148), is further amended by adding at the end thereof the following: "The Secretary of Agriculture is further authorized to cooperate with the Governments of Canada or Mexico or local Canadian or Mexican authorities in carrying out in such countries necessary operations or measures to control incipient or emergency outbreaks of insect pests or plant diseases, when such operations or measures are necessary to protect the agriculture of the United States. In performing the operations or measures authorized under this Act, the cooperating foreign country, State, or local agency shall be responsible for the authority necessary to carry out the operations or measures on all lands and properties within the foreign country or State other than those owned or controlled by the Federal Government and for such other facilities and means as in the discretion of the Secretary of Agriculture are necessary."

Insect pest control.
Canadian-Mexican cooperation.
52 Stat. 344.

Approved August 13, 1954.

GPO 42139